

**REMARKS**

The Office Action dated September 1, 2006 has been received and considered. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

**Anticipation Rejection of Claims 1, 3, 8, 9, 13, 16, 31, 33, 38-41, 47, 49, 51 and 52**

At page 2 of the Office Action, claims 1, 3, 8, 9, 13, 16, 31, 33, 38-41, 47, 49, 51 and 52 are rejected under 35 U.S.C. § 102(c) as being anticipated by Ciacelli (U.S. Patent No. 6,236,727). This rejection is hereby respectfully traversed.

Claim 1 recites sending a first encrypted routine of a software driver to a peripheral device. These elements are not disclosed by Ciacelli. Ciacelli discloses a content scrambling system for protecting copyright data. *Ciacelli*, Abstract. The Ciacelli system provides encrypted copyright data to a software module or peripheral device of a central processing unit, such as a decoder, for decryption. *Id.*, col. 2, lines 55-63. An encrypted decryption algorithm can be sent with the copyright data. *Id.*, col. 5, lines 40-45. However, Ciacelli fails to disclose that the encrypted decryption algorithm is “of a software driver.” According to Ciacelli,:

Module 22 would use the resident encryption algorithm to encrypt the actual decryption routine of the selected algorithm pair to be used by the decryption module 23 and/or decryption device 27. The encryption module then transmits the encrypted version of the actual decryption algorithm to module 23 and/or device 27.

*Id.* Thus, Ciacelli discloses sending an encryption algorithm to a decryption device. There is no disclosure that the encryption algorithm is a routine of a software driver to control a peripheral device. Accordingly, Ciacelli does not disclose, or even suggest, sending a first encrypted routine *of a software driver* to a peripheral device, but instead discloses sending encrypted data together with an encrypted decryption algorithm, which is not of a software driver, to a decoder. Accordingly, Ciacelli fails to disclose each and every element of claim 1.

Claim 31 recites instructions to send the first encrypted routine of said software driver to said peripheral device. As explained above, Ciacelli fails to disclose sending an encrypted

routine of a **software driver** to a peripheral device, and therefore necessarily fails to disclose each and every element of claim 31.

Claim 40 recites a first interface to receive a first encrypted routine of a software driver. As explained above, Ciacelli fails to disclose sending a first encrypted routine of a software driver to a peripheral device, and therefore necessarily fails to disclose a first interface to receive a first encrypted routine of a software driver. Accordingly, Ciacelli fails to disclose each and every element of claim 40.

Claim 47 recites sending a first encrypted routine of a first software driver to a peripheral device. As explained above, these elements are not disclosed by Ciacelli. Accordingly, Ciacelli fails to disclose each and every element of claim 47.

Claim 49 recites sending a first encrypted data associated with an application to a peripheral device, wherein the application is to interface with the peripheral device. As explained above, Ciacelli discloses sending copyright data to a peripheral device. Ciacelli does not disclose sending a first encrypted data associated with an application to a peripheral device, wherein the application is to interface with the peripheral device and therefore fails to disclose each and every element of claim 49.

Claims 3, 8, 9, 13, and 16 depend from claim 1. Claims 33 and 38-39 depend from claim 31. Claim 41 depends from claim 40. Claims 51 and 52 depend from claim 49. Accordingly, Ciacelli fails to disclose each and every element of claims 3, 8, 9, 13, 33, 38-39, 41, 51, and 52, at least by virtue of their respective dependency on claims 1, 31, 40, and 49. In addition, these dependent claims recite additional novel elements.

In view of the foregoing, it is respectfully submitted that the anticipation rejection of claims 1, 3, 8, 9, 13, 16, 31, 33, 38-41, 47, 49, 51 and 52 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

#### **Obviousness Rejection of Claims 17-27 and 30**

At page 6 of the Office Action, claims 17-27 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ciacelli, in view of Freeman (U.S. Patent Application No.

2002/0129374), and in view of Hayashi et al. (U.S. Patent No. 5,930,361). This rejection is hereby respectfully traversed.

Claim 17 recites sending a first encrypted routine of a software driver to a graphics chip. As explained above, Ciacelli does not disclose or suggest sending a first encrypted routine of a software driver, and therefore necessarily fails to disclose the claimed features of sending a first encrypted routine of a software driver to a graphics chip. Further, neither Freeman nor Hayashi remedies the deficiency of Ciacelli. Accordingly the cited references, individually and in combination, fail to disclose or suggest each and every element of claim 17.

Claims 18-27 and 30 depend from claim 17. Accordingly, the cited references fail to disclose or suggest each and every element of claims 18-27 and 30, at least by virtue of their dependence on claim 17. In addition, the dependent claims recite additional novel elements.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 17-27 and 30 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

#### **Obviousness Rejection of Claims 2, 10-12, 32, 42, 43, 50 and 54**

At page 13 of the Office Action, claims 2, 10-12, 32, 42, 43, 50 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ciacelli in view of Hayashi et al. This rejection is hereby respectfully traversed.

Claims 2 and 10-12 depend from claim 1. Claim 32 depends from claim 31. Claims 42 and 43 depend from claim 40. Claims 50 and 54 depend from claim 49. As explained above, Ciacelli fails to disclose or suggest each and every element of claims 1, 31, 40, and 49. Further, Hayashi does not remedy the deficiencies of Ciacelli. Accordingly, the cited references, individually and in combination, fail to disclose or suggest each and every element of claims 2, 10-12, 32, 42, 43, 50 and 54, at least by virtue of their respective dependence on claims 1, 31, 40, and 49. In addition, the dependent claims recite additional novel elements.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 2, 10-12, 32, 42, 43, 50 and 54 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

**Obviousness Rejection of Claims 4-7, 34-37, 44-46 and 53**

At page 16 of the Office Action, claims 4-7, 34-37, 44-46 and 53 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ciacelli, in view of Freeman. This rejection is hereby respectfully traversed.

Claims 4-7 depend from claim 1. Claims 34-37 depend from claim 31. Claims 44-46 depend from claim 40 and claim 53 depends from claim 49. As explained above, Ciacelli fails to disclose or suggest each and every element of claims 1, 31, 40, and 49. Further, Freeman does not remedy the deficiency of Ciacelli. Accordingly, the cited references, individually and in combination, fail to disclose or suggest each and every element of claims 4-7, 34-37, 44-46 and 53 and 54, at least by virtue of their respective dependence on claims 1, 31, 40, and 49. In addition, the dependent claims recite additional novel elements.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 4-7, 34-37, 44-46 and 53 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

**Obviousness Rejection of Claims 14 and 15**

At page 18 of the Office Action, claims 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ciacelli, in view of Wilson (U.S. Patent No. 4,520,232). This rejection is hereby respectfully traversed.

Claims 14 and 15 depend from claim 1. As explained above, Ciacelli fails to disclose or suggest each and every element of claim 1. In addition, Wilson does not remedy the deficiency of Ciacelli. Accordingly, Ciacelli and Wilson, individually and in combination, fail to disclose or suggest each and every element of claims 14 and 15, at least by virtue of their dependence on claim 1. In addition, the dependent claims recite additional novel elements.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 14 and 15 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

**Obviousness Rejection of Claims 28 and 29**

At page 19 of the Office Action, claims 28 and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ciacelli, in view of Freeman, Hayashi et al., and Wilson. This rejection is hereby respectfully traversed.

Claims 28 and 29 depend from claim 17. As explained above, Ciacelli fails to disclose or suggest each and every element of claim 17. In addition, Freeman, Hayashi, and Wilson do not remedy the deficiencies of Ciacelli. Accordingly, Ciacelli, Freeman, Hayashi, and Wilson individually and in combination, fail to disclose or suggest each and every element of claims 28 and 29, at least by virtue of their dependence on claim 17. In addition, the dependent claims recite additional novel elements.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claims 28 and 29 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

**Conclusion**

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicants believe no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

/Adam D. Sheehan/

Adam D. Sheehan; Reg. No. 42,146

LARSON NEWMAN ABEL POLANSKY & WHITE, LLP

5914 W. Courtyard Dr., Suite 200

Austin, Texas 78730

(512) 439-7100 (phone)

(512) 439-7199 (fax)

November 30, 2006

Date